



(BILLING CODE: 3510-DS-P)

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

A-549-502

Circular Welded Carbon Steel Pipes and Tubes from Thailand: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Finding of No Shipments; 2015-2016

AGENCY: Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on circular welded carbon steel pipes and tubes (pipes and tubes) from Thailand, covering the period of review (POR) March 1, 2015, through February 29, 2016. This review covers two manufacturers/exporters of the subject merchandise, Saha Thai Steel Pipe (Public) Company, Ltd. (Saha Thai) and Pacific Pipe Public Company Limited (Pacific Pipe). The Department preliminarily determines that Saha Thai sold subject merchandise at less than normal value (NV) during the POR and that Pacific Pipe had no shipments during the POR. Interested parties are invited to comment on these preliminary results.

DATES: Effective [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*.]

FOR FURTHER INFORMATION CONTACT: Toni Page, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1398.

*Scope of the Order*

The products covered by the antidumping order are certain circular welded carbon steel pipes and tubes from Thailand. The subject merchandise has an outside diameter of 0.375 inches

or more, but not exceeding 16 inches. For a full description of the scope of this order, please see the accompanying Preliminary Decision Memorandum.<sup>1</sup>

### *Methodology*

The Department is conducting this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying these preliminary results, see the Preliminary Decision Memorandum, which is hereby adopted by this notice. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>, and is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

### *Preliminary Determination of No Shipments*

Pacific Pipe timely filed a "no shipment" certification stating that it had no entries of subject merchandise during the POR.<sup>2</sup> Consistent with its practice, the Department asked CBP to conduct a query of potential shipments made by Pacific Pipe. Based on the certification of Pacific Pipe and the fact that CBP has not provided any contradictory information, we

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<sup>1</sup> See Memorandum to Ronald K. Lorentzen, Acting Assistant Secretary Enforcement and Compliance from Gary Taverman, Associate Deputy Assistant Secretary, "Circular Welded Carbon Steel Pipes and Tubes from Thailand: Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review; 2015-2016" (dated concurrently with this *Federal Register* notice) (Preliminary Decision Memorandum).

<sup>2</sup> For a full explanation of the Department's analysis, see the Preliminary Decision Memorandum.

preliminarily determine that Pacific Pipe had no shipments during the POR. However, the Department finds that it is not appropriate to rescind the review with respect to Pacific Pipe, but rather to complete the review with respect to Pacific Pipe and issue appropriate instructions to CBP based on the final results of this review.<sup>3</sup>

#### *Preliminary Results of Review*

The Department preliminarily determines that the following weighted-average dumping margin exists for the period March 1, 2015, through February 29, 2016:

Producer/Exporter	Weighted-Average Dumping Margin (percent)
Saha Thai Steel Pipe (Public) Company, Ltd.	1.50
Pacific Pipe Company Limited	*

\* No shipments or sales subject to this review. The company has an individual rate from a prior segment of the proceeding in which the firm had shipments or sales.

#### *Disclosure, Public Comment and Opportunity to Request a Hearing*

The Department intends to disclose the calculations used in our analysis to parties in this review within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Interested parties may submit written comments (case briefs) no later than 30 days after the date of publication of these preliminary results of review, pursuant to 19 CFR 351.309(c)(ii) and rebuttal comments (rebuttal briefs) within five days after the time limit for filing case briefs, pursuant to 19 CFR 351.309(d)(1). Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs. Parties who submit arguments are requested to submit

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<sup>3</sup> See, e.g., *Magnesium Metal from the Russian Federation: Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 26922, 26923 (May 13, 2010), unchanged in *Magnesium Metal from the Russian Federation: Final Results of Antidumping Duty Administrative Review*, 75 FR 56989 (September 17, 2010); see also “Assessment Rates” section below.

with the argument: (1) a statement of the issue; (2) a brief summary of the argument; and, (3) a table of authorities. *See* 19 CFR 351.303 (for general filing requirements). All electronically filed documents must be received successfully in its entirety by the Department's electronic records system, ACCESS.

Pursuant to 19 CFR 351.310, any interested party may request a hearing within 30 days of publication of this notice. Hearing requests should contain the following information: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the case and rebuttal briefs. If a party requests a hearing, the Department will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing.

The Department intends to issue the final results of this review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

#### *Assessment Rates*

Upon completion of this administrative review, the Department shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. If a respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.*, less than 0.5 percent) in the final results of this review, we will calculate importer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of dumping calculated for an importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1). Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c), or an importer-specific rate is zero or *de*

*minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

The Department clarified its “automatic assessment” regulation on May 6, 2003.<sup>4</sup> This clarification applies to entries of subject merchandise during the POR produced by a respondent for which it did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

#### *Cash Deposit Requirements*

The following cash deposit requirements will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies under review will be equal to the weighted-average dumping margin established in the final results of this review (except, if that rate is *de minimis*, then the cash deposit rate will be zero); (2) for previously reviewed or investigated companies not listed above in the Preliminary Results of Review, including those for which the Department may determine had no shipments during the POR, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review or another completed segment of this proceeding, but the manufacturer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the manufacturer of

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<sup>4</sup> For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previously completed segment of this proceeding, then the cash deposit rate will be the “all-others” rate of 15.67 percent established in the less-than-fair-value investigation.<sup>5</sup> These deposit requirements, when imposed, shall remain in effect until further notice.

*Notification to Importers*

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.213(h) and 351.221(b)(4).

Ronald K. Lorentzen  
Acting Assistant Secretary  
for Enforcement and Compliance

Dated: March 31, 2017

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<sup>5</sup> See *Antidumping Duty Order: Circular Welded Carbon Steel Pipes and Tubes from Thailand*, 51 FR 8341 (March 11, 1986).

## Appendix

### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Preliminary Finding of No Shipments
- V. Comparison to Normal Value
- VI. Product Comparisons
- VII. Discussion of Methodology
  - A. Determination of Comparison Method
  - B. Results of the Differential Pricing Analysis
  - C. Date of Sale
  - D. Export Price
  - E. Normal Value
  - F. Currency Conversion
- VIII. Recommendation

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